

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1036
96TH GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, May 3, 2012, with recommendation that the Senate Committee Substitute do pass.

4221S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 115.123 and 115.241, RSMo, and to enact in lieu thereof one new section relating to elections.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 115.123 and 115.241, RSMo, are repealed and one new
2 section enacted in lieu thereof, to be known as section 115.123, to read as follows:

115.123. 1. All public elections shall be held on Tuesday. Except as
2 provided in subsections 2[, and 3[, and 4] of this section, and section 247.180,
3 all public elections shall be held on the general election day, the primary election
4 day, the general municipal election day, the first Tuesday after the first Monday
5 in [February or] November, or on another day expressly provided by city or
6 county charter, [the first Tuesday after the first Monday in June] and in
7 nonprimary years on the first Tuesday after the first Monday in August. **Bond**
8 **elections may be held on the first Tuesday after the first Monday in**
9 **February but no other issue shall be included on the ballot for such**
10 **election.**

11 2. Notwithstanding the provisions of subsection 1 of this section, an
12 election for a presidential primary held pursuant to sections 115.755 to 115.785
13 shall be held on the first Tuesday after the first Monday in [March] **February**
14 of each presidential election year.

15 3. The following elections shall be exempt from the provisions of
16 subsection 1 of this section:

- 17 (1) Bond elections necessitated by fire, vandalism or natural disaster;
18 (2) Elections for which ownership of real property is required by law for

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 voting; [and]

20 (3) Special elections to fill vacancies and to decide tie votes or election
21 contests; **and**

22 (4) **Tax elections necessitated by a financial hardship due to a**
23 **five percent or greater decline in per-pupil state revenue to a school**
24 **district from the previous year.**

25 4. [No city or county shall adopt a charter or charter amendment which
26 calls for elections to be held on dates other than those established in subsection
27 1 of this section.

28 5.] Nothing in this section prohibits a charter city or county from having
29 its primary election in March if the charter provided for a March primary before
30 August 28, 1999.

31 [6.] 5. Nothing in this section shall prohibit elections held pursuant to
32 section 65.600, but no other issues shall be on the March ballot except pursuant
33 to this chapter.

[115.241. Each party emblem shall be printed on the ballot
2 above the party caption.]

✓